

Remarks

In response to the non-final Office Action mailed September 22, 2005, the Applicants respectfully request reconsideration of the rejection and that the case pass to issue in light of the amendments above and the remarks below. By this paper, new claims 21-24 have been added such that claims 1-24 are now pending and rejected.

The Examiner has set forth the followings rejections: the title is objected to for failing to indicate the invention; claims 1-3 and 15-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S.P.N. 5,619,107 to Shinohara (hereinafter the Shinohara patent); and claims 4-14 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Shinohara patent.

Objection To The Title

Applicants respectfully submit that the objection to the title is obviated by the amendment above.

Rejection of Claims 1-20 Over The Shinohara Patent

The Examiner has rejected claims 1-20 under 35 U.S.C. § 102(b) and 103(a) in light of the Shinohara patent. The Applicants have elected to address both of these rejections with the same remarks. The Applicants respectfully submit that the Shinohara patent not only fails to disclose each element recited in the rejected claims but also fails to teach or suggest the recited limitations.

The Applicants respectfully submit that the Shinohara patent fails to disclose discharging a capacitor with energy flow to an electric motor, as recited in the rejected independent claims 1, 9, 15, and 18. In more detail, the Shinohara patent fails to disclose detecting contactor disconnect and discharging energy from a capacitor to a motor in response

thereto (claims 1 and 15) and/or discharging energy from a capacitor to a motor without causing the motor to drive a vehicle/device connected thereto (claims 1, 9, and 18).

The Shinohara patent merely relates to including a discharging means 7 for discharging energy from a capacitor. The discharging means is an additional hardware feature added to the vehicle to permit the discharging of the capacitor. The Applicants' invention does not require this additional hardware. Moreover, the Shinohara patent only discharges energy from the capacitor to the motor during driving operations, i.e., when the contactors are connected so that power can be provided by a power source to the motor, and not without driving the vehicle and/or in response to contactor disconnect.

The failure of the Shinohara patent to disclose discharging the capacitor through energy flow to the electric motor as presently claimed renders it unsuitable to reject the pending claims either under 35 U.S.C. § 102(b) or § 103(a). Consequently, independent claims 1, 9, 15, and 18, and the dependent claims that depend therefrom and include all the limitations thereof, are patentable and non-obvious over the cited reference.

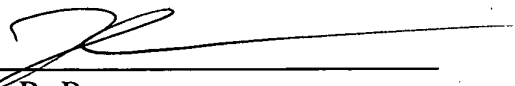
New Claims

New claims 21-24 have been added to more particularly claims features associated with discharging the capacitor. The Examiner is respectfully requested to consider the new claims in light of the foregoing remarks.

Conclusion

In view of the foregoing, Applicants respectfully submit that each rejection has been fully replied to and traversed and that the case is in condition to pass to issue. The Commissioner is hereby authorized to charge the amount of \$200 to cover the costs associated with adding the new dependent claims, as well as any additional fees associated with this filing, to the Deposit Account of Ford Global Technologies LLC, No. 06-1510. The Examiner is respectfully requested to pass this case to issue and is invited to contact the undersigned if it would further prosecution of this case to issue.

Respectfully submitted,
Raj Prakash et al.

By 
John R. Buser
Reg. No. 51,517
Attorney/Agent for Applicant

Date: 10-26-05

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351